

47:01:01:04. Declaratory rulings. Petitions may be filed with the secretary of the Department of Labor and Regulation for the purpose of requesting a declaratory ruling concerning the applicability of a statutory provision or of a rule or order made by the department. Such petitions shall be in writing and contain all the pertinent facts necessary to inform the secretary of the nature of the rulings requested. The secretary of the Department of Labor and Regulation ~~shall set a hearing date when testimony can be given by parties of interest in the rulings.~~ has the discretion to promptly dispose of the petition as the secretary sees fit. If a hearing is set, the The secretary shall give notice of hearing in writing to the parties of interest at least 10 days before the hearing. If the ruling requested, in the judgment of the secretary, has widespread impact and all parties of interest are not identifiable, then the secretary shall have the notice of hearing published in at least 3 newspapers of general circulation in the state of South Dakota at least 10 days before the hearing.

Source: SL 1975, ch 16, § 1; 9 SDR 81, 9 SDR 124, effective July 1, 1983.

General Authority: SDCL 1-26-15.

Law Implemented: SDCL 1-26-15.